

NICOLE K. MACINNES

FILED

05 NOV -1 AM 9:41

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JOEL HODGELL,

Plaintiff,

v.

YVES ROCHER NORTH AMERICA  
(a foreign corporation),  
YVES ROCHER (U.S.A.) INC.,  
(a Delaware corporation),  
YVESROCHERUSA.COM,  
and JOHN DOES 1-20,

Defendants.

NO. **05E2-35819-0 SFA**

SUMMONS (60 DAYS)  
FOR ALL NAMED DEFENDANTS

**TO THE DEFENDANTS:** A lawsuit has been started against you in the above entitled court by JOEL HODGELL, plaintiff, through his attorney Robert J. Siegel. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within 60 days

SUMMONS (20 DAYS) FOR YVES ROCHER, ET AL

-1

MERKLE SIEGEL & FRIEDRICHSEN, P.C.  
ATTORNEYS AT LAW

1325 FOURTH AVENUE, SUITE 940  
SEATTLE, WASHINGTON 98101-2509  
PHONE: (206) 624-9392 FAX: (206) 624-0717

ORIGINAL

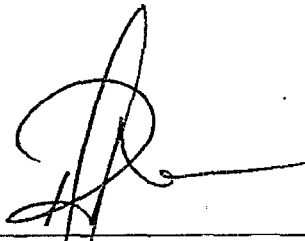
1 after the service of this summons, excluding the day of service, or a default judgment may be  
2 entered against you without notice. A default judgment is one where plaintiff is entitled to what  
3 he asks for because you have not responded. If you serve a notice of appearance on the  
4 undersigned person, you are entitled to notice before a default judgment may be entered.

5 You may demand that the plaintiff file this lawsuit with the court. If you do so, the  
6 demand must be in writing and must be served upon the person signing this summons. Within  
7 14 days after you serve the demand, the plaintiff must file this lawsuit with the court, or the  
8 service on you of this summons and complaint will be void.

9 If you wish to seek the advice of an attorney in this matter, you should do so promptly so  
10 that your written response, if any, may be served on time.

11 This summons is issued pursuant to rule 4 of the Superior Court Civil Rules of the State  
12 of Washington.

13  
14 Dated this 27th day of October 2005,

15  
16  
17  
18 

19 Robert J. Siegel, WSBA #17312

20 Attorney for Plaintiff

21  
22  
23  
24  
25  
SUMMONS (20 DAYS) FOR YVES ROCHER, ET AL

-2

MERKLE SIEGEL & FRIEDRICHSEN, P.C.

ATTORNEYS AT LAW

1325 FOURTH AVENUE, SUITE 940  
SEATTLE, WASHINGTON 98101-2509  
PHONE: (206) 624-9392 FAX: (206) 624-0717

FILED  
05 NOV -1 AM 9:41  
KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JOEL HODGELL,

vs

YVES ROCHER NORTH AMERICA, ET AL

Plaintiff(s)

Defendant(s)

NO. 05-2-35819-0 SEA

Order Setting Civil Case Schedule (\*ORSCS)

ASSIGNED JUDGE MacInnes 37

FILE DATE: 11/01/2005


TRIAL DATE: 04/23/2007

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

**NOTICE TO PLAINTIFF:** The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

*"I understand that I am required to give a copy of these documents to all parties in this case."*

 \_\_\_\_\_  
Print Name Sign Name

## I. NOTICES (continued)

### NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLR] – especially those referred to in this **Schedule**. In order to comply with the **Schedule**, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLR 26], and for meeting the discovery cutoff date [See KCLR 37(g)].

### CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$200 must be paid when any answer that includes additional claims is filed in an existing case.

### SHOW CAUSE HEARINGS FOR CIVIL CASES [King County Local Rule 4(g)]

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. A review of the case will be undertaken to confirm service of the original complaint and to verify that all answers to claims, counterclaims and cross-claims have been filed. If those mandatory pleadings are not in the file, a *Show Cause Hearing* will be set before the Chief Civil or RJC judge. The Order to Show Cause will be mailed to all parties and designated parties or counsel are required to attend.

### PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

**If you miss your scheduled Trial Date**, the Superior Court Clerk is authorized by KCLR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

### NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

*All parties to this action must keep the court informed of their addresses.* When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

### ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule **if the case is subject to mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$220 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

### NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4.71.050 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Rule 41.

**King County Local Rules are available for viewing at [www.metrokc.gov/kcsccl](http://www.metrokc.gov/kcsccl).**

## II. CASE SCHEDULE

CASE EVENT	DEADLINE or EVENT DATE	Filing Needed
Case Filed and Schedule Issued.	Tue 11/01/2005	*
Confirmation of Service [See KCLR 4.1].	Tue 11/29/2005	*
Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR 2.1(a) and Notices on Page 2]. <b>\$220 arbitration fee must be paid</b>	Tue 04/11/2006	*
<b>DEADLINE</b> to file Confirmation of Joinder if not subject to Arbitration. [See KCLR 4.2(a) and Notices on Page 2]. <b>Show Cause hearing will be set if Confirmation is not filed, or if the Confirmation does not have all signatures, or if all answers have not been filed, or judgment on default has not been filed, or Box 2 is checked.</b>	Tue 04/11/2006	*
<b>DEADLINE</b> for Hearing Motions to Change Case Assignment Area. [See KCLR 82(e)]	Tue 04/25/2006	
<b>DEADLINE</b> for Disclosure of Possible Primary Witnesses [See KCLR 26(b)].	Mon 11/20/2006	
<b>DEADLINE</b> for Disclosure of Possible Additional Witnesses [See KCLR 26(b)].	Tue 01/02/2007	
<b>DEADLINE</b> for Jury Demand [See KCLR 38(b)(2)].	Tue 01/16/2007	*
<b>DEADLINE</b> for Setting Motion for a Change in Trial Date [See KCLR 40(e)(2)].	Tue 01/16/2007	*
<b>DEADLINE</b> for Discovery Cutoff [See KCLR 37(g)].	Mon 03/05/2007	
<b>DEADLINE</b> for Engaging in Alternative Dispute Resolution [See KCLR 16(c)].	Mon 03/26/2007	
<b>DEADLINE</b> for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLR 16(a)(4)].	Mon 04/02/2007	
<b>DEADLINE</b> to file Joint Confirmation of Trial Readiness [See KCLR 16(a)(2)].	Mon 04/02/2007	*
<b>DEADLINE</b> for Hearing Dispositive Pretrial Motions [See KCLR 56; CR 56].	Mon 04/09/2007	
Joint Statement of Evidence [See KCLR 16(a)(5)].	Mon 04/16/2007	*
Trial Date [See KCLR 40].	Mon 04/23/2007	

## III. ORDER

Pursuant to King County Local Rule 4 [KCLR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this Order Setting Civil Case Schedule and attachment on all other parties.

DATED: 11/01/2005

*Richard D. Ernie*

PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER PRIOR TO CONTACTING YOUR ASSIGNED JUDGE

**This case is assigned to the Superior Court Judge whose name appears in the caption of this Schedule. The assigned Superior Court Judge will preside over and manage this case for all pre-trial matters.**

**COMPLEX LITIGATION:** If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

**The following procedures hereafter apply to the processing of this case:**

**APPLICABLE RULES:**

a. Except as specifically modified below, all the provisions of King County Local Rules 4 through-26 shall apply to the processing of civil cases before Superior Court Judges.

**CASE SCHEDULE AND REQUIREMENTS:**

**A. Show Cause Hearing:** A Show Cause Hearing will be held before the Chief Civil/Chief RJC judge if the case does not have confirmation of service on all parties, answers to all claims, crossclaims, or counterclaims as well as the confirmation of joinder or statement of arbitrability filed before the deadline in the attached case schedule. All parties will receive an *Order to Show Cause* that will set a specific date and time for the hearing. Parties and/or counsel who are required to attend will be named in the order.

**B. Pretrial Order:** An order directing completion of a Joint Confirmation of Trial Readiness Report will be mailed to all parties approximately six (6) weeks before trial. **This order will contain deadline dates for the pretrial events listed in King County Local Rule 16:**

- 1) Settlement/Mediation/ADR Requirement;
- 2) Exchange of Exhibit Lists;
- 3) Date for Exhibits to be available for review;
- 4) Deadline for disclosure of witnesses;
- 5) Deadline for filing Joint Statement of Evidence;
- 6) Trial submissions, such as briefs, Joint Statement of Evidence, jury instructions;
- 7) voir dire questions, etc;
- 8) Use of depositions at trial;
- 9) Deadlines for nondispositive motions;
- 10) Deadline to submit exhibits and procedures to be followed with respect to exhibits;
- 11) Witnesses – identity, number, testimony;

**C. Joint Confirmation regarding Trial Readiness Report:** No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment), etc. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff/petitioner's counsel is responsible for contacting the other parties regarding said report.

**D. Settlement/Mediation/ADR:**

**1) Forty five (45) days before the Trial Date,** counsel for plaintiff shall submit a written settlement demand. Ten (10) days after receiving plaintiff's written demand, counsel for defendant shall respond (with a counteroffer, if appropriate).

**2) Twenty eight (28) days before the Trial Date,** a settlement/mediation/ADR conference shall have been held. **FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.**

**E. Trial:** Trial is scheduled for 9:00 a.m. on the date on the *Schedule* or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website at [www.metrokc.gov/kcsc](http://www.metrokc.gov/kcsc) to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

**MOTIONS PROCEDURES:**

**A. Noting of Motions**

**Dispositive Motions:** All Summary Judgment or other motions that dispose of the case in whole or in part will be heard with oral argument before the assigned judge. The moving party must arrange with the courts a date and time for the hearing, consistent with the court rules.

King County Local Rule 7 and King County Local Rule 56 govern procedures for all summary judgment or other motions that dispose of the case in whole or in part. The local rules can be found at [www.metrokc.gov/kcsccl](http://www.metrokc.gov/kcsccl).

**Nondispositive Motions:** These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the *Note for Motion* should state "Without Oral Argument." King County Local Rule 7 governs these motions, which include discovery motions. The local rules can be found at [www.metrokc.gov/kcsccl](http://www.metrokc.gov/kcsccl).

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions Calendar. King County Local Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at [www.metrokc.gov/kcsccl](http://www.metrokc.gov/kcsccl).

**Emergency Motions:** Emergency motions will be allowed only upon entry of an Order

*Shortening Time*. However, emergency discovery disputes may be addressed by telephone call, and without written motion, if the judge approves.

**Filing of Documents** All original documents must be filed with the Clerk's Office. *The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge.* The assigned judge's working copy must be delivered to his/her courtroom or to the judges' mailroom. Do not file working copies with the Motions Coordinator, except those motions to be heard on the Family Law Motions Calendar, in which case the working copies should be filed with the Family Law Motions Coordinator.

**Original Proposed Order:** Each of the parties must include in the working copy materials submitted on any motion an original proposed order sustaining his/her side of the argument. Should any party desire a copy of the order as signed and filed by the judge, a preaddressed, stamped envelope shall accompany the proposed order.

**Presentation of Orders:** All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final orders and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

**C. Form:** Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for nondispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PETITIONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.

*Richard B. Eardie*

---

PRESIDING JUDGE

FILED

FILED

05 NOV -1 AM 9:41

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA.

KING CO SUPERIOR CT  
BARBARA LINDER  
Director & Superior Ct Clerk  
Seattle WA

05-2-35819-0

Rec'd Date	Acct. Date	Time
11/01/2005	11/01/2005	09:39 AM

Receipt/Tran #	Tran-Code	Doclet-Code
2005-07-15409/01	1100	OFFR

Cashiers ID

**KING COUNTY SUPERIOR COURT  
CASE ASSIGNMENT DESIGNATION  
and  
CASE INFORMATION COVER SHEET  
(cics)**

Filed By: NEPALE, SIEGEL & FRIEDRICHSEN,  
Transaction Amount: \$200.00

In accordance with LR82(e), a faulty document fee of \$15 will be assessed to new case filings missing this sheet pursuant to King County Code 4.71.100.

**05-2-35819-0 SEA**  
CASE NUMBER: \_\_\_\_\_

CASE CAPTION: Hodgell v. Yves Rocher North America, Yves Rocher Inc., Yvesrocherusa.com, and John Does 1-20

I certify that this case meets the case assignment criteria, described in King County LR 82(e), for the:

☒ Seattle Area, defined as:

All of King County north of Interstate 90 and including all of the Interstate 90 right-of-way; all the cities of Seattle, Mercer Island, Bellevue, Issaquah and North Bend; and all of Vashon and Maury Islands.

\_\_\_\_\_ Kent Area, defined as:

All of King County south of Interstate 90 except those areas included in the Seattle Case Assignment Area.

\_\_\_\_\_  
Signature of Petitioner/Plaintiff

or

\_\_\_\_\_  
Signature of Attorney for  
Petitioner/Plaintiff

17312  
WSBA Number

\_\_\_\_\_  
Date

10/26/05  
Date



**KING COUNTY SUPERIOR COURT  
CASE ASSIGNMENT DESIGNATION  
and**

**CASE INFORMATION COVER SHEET**

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time but helps in forecasting judicial resources. A faulty document fee of \$15 will be assessed to new case filings missing this sheet pursuant to Administrative Rule 2 and King County Code 4.71.100.

**APPEAL/REVIEW**

- ☐ Administrative Law Review (ALR 2)\*
- ☐ DOL Implied Consent—Test Refusal —only RCW 46.20.308 (DOL 2)\*
- ☐ DOL- all other appeals (ALR 2) \*

**CONTRACT/COMMERCIAL**

- ☐ Breach of Contract (COM 2)\*
- ☐ Commercial Contract (COM 2)\*
- ☐ Commercial Non-Contract (COL 2)\*
- ☐ Meretricious Relationship (MER 2)\*
- ☐ Third Party Collection (COL 2)\*

**DOMESTIC RELATIONS**

- ☐ Annulment/Invalidity (INV3)\*  
with dependent children? Y / N; wife pregnant? Y / N
- ☐ Child Custody (CUS 3)\*
- ☐ Nonparental Custody (CUS 3)\*
- ☐ Dissolution With Children (DIC 3)\*
- ☐ Dissolution With No Children (DIN 3)\*  
wife pregnant? Y / N
- ☐ Enforcement/Show Cause- Out of County (MSC 3)
- ☐ Establish Residential Sched/Parenting Plan(PPS 3)\* **ff**
- ☐ Establish Supprt Only (PPS 3)\* **ff**
- ☐ Legal Separation (SEP 3)\*  
with dependent children? Y / N; wife pregnant? Y / N
- ☐ Mandatory Wage Assignment (MWA 3)
- ☐ Modification (MOD 3)\*
- ☐ Modification - Support Only (MDS 3)\*
- ☐ Out-of-state Custody Order Registration (FJU 3)
- ☐ Out-of-State Support Court Order Registration (FJU 3)
- ☐ Reciprocal, Respondent Out of County (ROC 3)
- ☐ Reciprocal, Respondent in County (RIC 3)
- ☐ Relocation Objection/Modification (MOD 3)\*

**ADOPTION/PATERNITY**

- ☐ Adoption (ADP 5)
- ☐ Challenge to Acknowledgment of Paternity (PAT 5)\*
- ☐ Challenge to Denial of Paternity (PAT 5)\*
- ☐ Confidential Intermediary (MSC 5)
- ☐ Establish Parenting Plan-Existing King County Paternity (MSC 5)\*
- ☐ Initial Pre-Placement Report (PPR 5)
- ☐ Modification (MOD 5)\*
- ☐ Modification-Support Only (MDS 5)\*
- ☐ Paternity, Establish/Disestablish (PAT 5)\*
- ☐ Paternity/UIFSA (PUR 5)\*
- ☐ Out-of-State Custody Order Registration (FJU 5)
- ☐ Out-of-State Support Order Registration (FJU5)
- ☐ Relinquishment (REL 5)
- ☐ Relocation Objection/Modification (MOD 5)\*
- ☐ Rescission of Acknowledgment of Paternity (PAT 5)\*
- ☐ Rescission of Denial of Paternity (PAT 5)\*
- ☐ Termination of Parent-Child Relationship (TER 5)

**DOMESTIC VIOLENCE/ANTIHARASSMENT**

- ☐ Civil Harassment (HAR 2)
- ☐ Confidential Name Change (CHN 5)
- ☐ Domestic Violence (DVP 2)
- ☐ Domestic Violence with Children (DVC 2)
- ☐ Foreign Protection Order (FPO 2)
- ☐ Vulnerable Adult Protection (VAP 2)

**ff** Paternity Affidavit or Existing/Paternity is not an issue and NO other case exists in King County\* The filing party will be given an appropriate case schedule.      \*\* Case schedule will be issued after hearing and findings.

**KING COUNTY SUPERIOR COURT  
CASE ASSIGNMENT DESIGNATION  
and**

**CASE INFORMATION COVER SHEET**

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time but helps in forecasting judicial resources. A faulty document fee of \$15 will be assessed to new case filings missing this sheet pursuant to Administrative Rule 2 and King County Code 4.71.100.

**PROPERTY RIGHTS**

- ☐ Condemnation/Eminent Domain (CON 2)\*
- ☐ Foreclosure (FOR 2)\*
- ☐ Land Use Petition (LUP 2)\*
- ☐ Property Fairness (PFA 2)\*
- ☐ Quiet Title (QTI 2)\*
- ☐ Unlawful Detainer (UND 2)

**JUDGMENT**

- ☐ Confession of Judgment (MSC 2)\*
- ☐ Judgment, Another County, Abstract (ABJ 2)
- ☐ Judgment, Another State or Country (FJU 2)
- ☐ Tax Warrant (TAX 2)
- ☐ Transcript of Judgment (TRJ 2)

**OTHER COMPLAINT/PETITION**

- ☐ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
- ☐ Certificate of Rehabilitation (MSC 2)
- ☐ Change of Name (CHN 2)
- ☐ Deposit of Surplus Funds (MSC 2)
- ☐ Emancipation of Minor (EOM 2)
- ☐ Frivolous Claim of Lien (MSC 2)
- ☐ Injunction (INJ 2)\*
- ☐ Interpleader (MSC 2)
- ☐ Malicious Harassment (MHA 2)\*
- ☐ Non-Judicial Filing (MSC 2)
- ☒ Other Complaint/Petition (MSC 2)\*
- ☐ Seizure of Property from the Commission of a Crime (SPC 2)\*
- ☐ Seizure of Property Resulting from a Crime (SPR 2)\*
- ☐ Structured Settlements (MSC 2)\*
- ☐ Subpoena (MSC 2)

**PROBATE/GUARDIANSHIP**

- ☐ Absentee (ABS 4)
- ☐ Disclaimer (DSC4)
- ☐ Estate (EST 4)
- ☐ Foreign Will (FNW 4)
- ☐ Guardian (GDN4)
- ☐ Limited Guardianship (LGD 4)
- ☐ Minor Settlement (MST 4)
- ☐ Notice to Creditors – Only (NNC 4)
- ☐ Trust (TRS 4)
- ☐ Trust Estate Dispute Resolution Act/POA (TDR 4)
- ☐ Will Only—Deceased (WLL4)

**TORT, MEDICAL MALPRACTICE**

- ☐ Hospital (MED 2)\*
- ☐ Medical Doctor (MED 2)\*
- ☐ Other Health Care Professional (MED 2)\*

**TORT, MOTOR VEHICLE**

- ☐ Death (TMV 2)\*
- ☐ Non-Death Injuries (TMV 2)\*
- ☐ Property Damage Only (TMV 2)\*

**TORT, NON-MOTOR VEHICLE**

- ☐ Asbestos (PIN 2)\*\*
- ☐ Implants (PIN 2)
- ☐ Other Malpractice (MAL 2)\*
- ☐ Personal Injury (PIN 2)\*
- ☐ Products Liability (TTO 2)\*
- ☐ Property Damage (PRP 2)\*
- ☐ Wrongful Death (WDE 2)\*
- ☐ Tort, Other (TTO 2)\*

**WRIT**

- ☐ Habeas Corpus (WHC 2)
- ☐ Mandamus (WRM 2)\*\*
- ☐ Review (WRV 2)\*\*

\* The filing party will be given an appropriate case schedule. \*\* Case schedule will be issued after hearing and findings.

FILED

2005 DEC -7 PM 4:43

KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JOEL HODGELL,

Plaintiff,

vs.

YVES ROCHER NORTH AMERICA INC.

(a Canadian Corporation),

YVES ROCHER INC. (a Canadian Corporation),

YVES ROCHERUSA.COM

and JOHN DOES 1-2

Defendants.

NO. 05-2-35819-0 SEA

NOTICE OF FILING OF NOTICE OF  
REMOVAL

TO: CLERK OF THE COURT

TO: JOEL HODGELL and ROBERT J. SIEGEL, his attorney

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446,

Defendants Yves Rocher North America Inc., Yves Rocher Inc., and Yves Rocherusa.Com have

filed the attached Notice of Removal with the United States District Court for the Western

District of Washington at Seattle on December 7, 2005, and removed the above action from this

NOTICE OF FILING REMOVAL -1

ORIGINAL

NEWMAN & NEWMAN, ATTORNEYS AT LAW, LLP  
505 Fifth Avenue South, Suite 610  
Seattle, Washington 98104  
(206) 274-2800 phone  
(206) 274-2801 fax

1 Court to the United States District Court for the Western District of Washington at Seattle.  
2  
3

4 DATED this 7<sup>th</sup> day of December, 2005.  
5

6 **NEWMAN & NEWMAN,**  
7 **ATTORNEYS AT LAW, LLP**  
8

9 By: 

10 Derek A. Newman, WSBA No. 26967  
11 Roger M. Townsend, WSBA No. 25525  
12 505 Fifth Avenue South, Suite 610  
13 Seattle, Washington 98104  
14 (206) 274-2800 Phone  
15 (206) 274-2801 Fax

16 James David Jacobs (Pro Hac Vice Pending)  
17 Todd S. Sharrin  
18 Baker & McKenzie LLP  
19 805 Third Avenue  
20 New York, New York 10022  
21 (212) 751-5700 Phone  
22 (212) 310-1651 Fax

23 Attorneys for Defendants  
24 YVES ROCHER NORTH AMERICA INC.  
25 YVES ROCHER INC.  
26 YVES ROCHERUSA.COM  
27  
28

1 **CERTIFICATE OF SERVICE**

2  
3  
4 The undersigned hereby certifies that on this 7<sup>th</sup> day of December, 2005, I caused the  
5 foregoing **NOTICE OF FILING REMOVAL AND CERTIFICATE OF SERVICE** to be  
6 served via the methods listed below on the following parties:  
7

8  
9 **Via Legal Messenger to:**

10 Robert J. Siegel, Esq.  
11 Merkle Siegel & Friedrichsen, P.C.  
12 1325 Fourth Avenue, Suite 940  
13 Seattle, WA 98101  
14

15 I declare under penalty of perjury under the laws of the state of Washington that the  
16 foregoing is true and correct and that this declaration was executed on December 7<sup>th</sup>, 2005 at  
17 Seattle, Washington.  
18  
19

20  
21 DIANA AU  
Diana Au